



Action Item Log (DRAFT) For Team's 03/21/12 Site meeting ** Enforcement
Confidential and Attorney-Client Privileged Information**
San Jacinto River Waste Pits (DSZ) Superfund Site Project

No.	Action Item	Priority	Responsible Person	Date Due	Reviewed Due Date	Status	Comments
XXXX	NEW SIGNIFICANT ACTIVE ITEMS FOR TODAY'S 03/21/12 MEETING	XXXX	XXXX	XXXX	XXXX	XXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
1	TORA - Conference call to PRPs to discuss implications on CAP survey.		Val	03/28/12			
2	RUSF - Fate & Transport model study & response.		Gary	3/21/2012			
3	RIFS - Complete TAG for USACOE Tech Assistance.		Gary	3/11/2012			
4	RIFS - On 03/16/12 Respondents posted the Draft Baseline Ecological Risk Assessment to the to the project document website, in the "SJRWPP-Working-Documents" directory.		Gary	3/20/2012			via email, Gary requests comments from Vaskov (TOEQ), Allen (HCTX), Housler & Henry (POHA), White (NOAA), & Turner, Tshoni, Barth, & Beecher NLT 03/20/12.
5	RIFS - Un-ming analysis meeting for the SJRW site Wednesday 3/21/12 (9 am - noon at TOEQ in Austin).		Gary	3/21/2012			
XXXX	ONGOING ACTIVE ITEMS FROM PREVIOUS MEETINGS	XXXX	XXXX	XXXX	XXXX	XXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
1	TORA - Val to received copy of Respondents Survey of the cap.		Val	02/28/12		Done	
2	Community Awareness Meeting.		Donn	02/22/12		On-going	Last CAC meeting 02/22/12, Next CAC meeting 04/05/12 at regular time & place.
3	Community Engagement Initiative		Donn	Spring 12		On-going	Donn will see if GBF is OK with EPA participating in their next meeting.
4	RIFS - Status of RPM response to SJRF concerning pilings and other planned construction between west side of cap and (SJRF) property.		Gary	03/16/12			Gary has forwarded SJRF letter to CIG (City of Houston, Port Authority, and TOEQ) and other interested parties for review and comment. Gary will review SJRF letter & consolidate all received comments. Gary will prepare EPA approving and/or approving with modifications SJRF's plan.
5	RUSF - Work plan requiring respondents expand sampling in southern impoundment to include testing for VOCs.		Gary	02/17/12	02/28/12	Done	Soil & GW SAP for S. impoundment - comment letters require VOC SVOC samples - letters sent 3/06/12. Soil & GW letter sent 3/7/12.
6	RIFS - Watershed risk levels of POHA.		Phil	03/08/12	04/05/12		To address scenario per POHA 07/29/11 letter.
7	RIFS - Policy letter revising SJRWPP special permits area conditions & revise boundaries after completion of risk levels.		Stephen & Phil	04/08/12	09/15/12		Letter to TOEQ, USSAGE, and POHA.
8	RIFS - Color coding project		Phil	08/15/12		On-going	Casidy has removed this Site from the color coding national contract project/task for which she is the project manager. Casidy has advised Phil that she will arrange to forward to him all work that contractor has already been completed for this Site. As of 03/20/12 Phil has not yet received the contractor's work in progress materials.
9	RIFS - Prepare/mail 104(e) letters to current/past owners of S. impoundment properties for information concerning VOCs/DNAPLs found in the S. impoundment area.		Bob	12/15/11	03/01/12	On hold	Prior to preparing a letter(s), Bob will await Team's decision if Respondents will be responsible to remediate VOCs/DNAPLs found in the S. impoundment area.
10	RIFS - Complete title tree (obtain deed copies) for Southern impoundment area from 1959 to present.		Bob		03/01/12	On hold	1) Deed copies for current owners of record in the S. impoundment area have been collected. 2) Prior to spending additional time collecting historical deeds to complete title tree back to 1959, Werner is awaiting Team's decision if Respondents will be responsible to remediate VOCs/DNAPLs found in the S. impoundment area.
11	TORA - EPA response to Respondents' latest submission concerning stipulated penalties.		Jessica & Ann	Mid-March		On-going	
12	TORA - Status of Administrative Record File.		Jessica & Val	11/09/11	01/30/12		1-TORA draft submitted, awaiting POHA response 2- Awaiting RA report.
13	Legislative update info to Cindy		Jessica, Val, Gary & Donn	1st of each month		On-going	
14	Status of SJRF's site access to Respondents.		Respondents			On-going	Respondents working with SFRF to obtain access agreement.
15	TORA - Final report		Val	03/01/12			Removal report revisions back to EPA by 3/8/12. Val will review for respondents to comment. Decision planned by end of end of week. May modify as necessary.
16	RIFS - Status of records into SDMS.		Bob, Jessica, Val, Gary, Stephen			On-going	Updating
XXXX	COMPLETED ITEMS	XXXX	XXXX	XXXX	XXXX	XXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
-	RIFS - Prepare letters to residents concerning diatom sample results.		Gary	12/09/11	01/27/12	Done	Letters will advise diatom yield samples below level of concern (Screening level for residential col = 50 PMT - Samples taken ranged from 2 to 12 PMT).
-	TORA - Quarterly Cap inspection		Val	02/11/12		Done	02/11/12
-	RIFS - Discussion - should disposition of sand from past dredging operations be addressed as part of this action.		Gary			Done	Decision made - this is not part of the Site.
-	RIFS - Status of plan from of San Jacinto River Fleet (SJRF) concerning pilings and other planned construction between west side of cap and (SJRF) property.		Brian Darnell, VP - SJRF			Done	2/3/12 - SJRF letter received at EPA.
-	Community Involvement Plan		Donn		12/31/11	Done	
-	Carlos/Don agreed that S impoundment area should be treated as a separate OU of the SJRWPP site.		Carlos/Don	12/15/11		Done	Decision based upon sample finding of buried hydrocarbons / VOCs / DNAPLs on parts of the S impoundments. Final status of OU2 designation?
-	Draft response to questions from latest community meeting		Stephen (lead)	11/16/11		Done	EPA related questions will be passed on to appropriate agencies.
-	Letter response to River Fleet concerning Fleet's proposed plan in special permit area.		Gary	11/15/11	01/13/12	Done	River Fleet construction pending advice from EPA. Gary awaiting advice from POHA.
-	Cap completion		Val	09/09/11	09/09/11	Done	Cap completed - Awaiting final report. ????
-	Penalties Chart to include all deliverables the PRPs have missed.		Val, Jessica, & Barbara	01/28/11		Done	Sent with TORA - Notice of violation letter.
-	TORA - Notice of violation Letter.		Jessica & Ann	08/15/11	11/09/11	Done	PRP response in 4 boxes now in Donn's office.
-	Community Involvement.		Donn			Done	CAC meeting 11/16/11 at regular time & place.
-	MOU with Port of Houston Authority for SJRWPP site & Patrick Bayou site.		Jessica/Ann	09/09/11		Done	
-	RIFS - Evaluate 104(e) response from MegaSend Enterprises, Inc. to determine if other location(s) with dredged materials from site area exist.		Gary/Stephen	07/12/11		Done	
-	Address complaints by particular residents that TORA activities are causing water to overflow into their yards.					Done	
-	Designation letters to MMC and IP to be agents for EPA on Big Star property.		Jessica/Barbara & Val	8/18/11		Done	



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*	Status of site access from Big Star Boat & Barge to PRPs		Werner/Jessica			Done	Werner sent emails to Jay Roberts 7/8/11 & 7/11/11. No reply yet received. Jessica plans to talk to Mark about future efforts for EPA to get site access.
*	Fingerprints of Southern Impoundment Samples		Stephen, Gary		Finger printing done by TCEQ	No action	Discussion - Before spending time to looking for possible sources of doxins found in the southern impoundment area, should decision be made if removal will be required or should if doxins should be left in place with deed restrictions on the effected properties?
*	Fingerprints of Southern Impoundment Samples		Stephen, Gary			Done 6/23/11	Discussion - 104(e) letters needed for Patrick Bayou PRPs? Probable generators/transporters of finger printed waste. Bob will talk to Ann/Patrice about generators/transporters
*	Financial Assurance - Availability of funds from MIMC's "Payment Bond" #1055284 (TCRA)	Low	Bob & Barbara	01/31/11	03/30/11	Pending need & available time	Industrial Economics recommends EPA consider requiring MIMC to submit a revised payment bond with language matching that of the sample CERCLA payment bond
*	TCRA - Public comment period.		Jessica, Val, & Donn			N/A	Not required.
*	RI/FS - Supplemental 104(e) letter to MegaSand Enterprises, Inc.		Bob	05/11/11	07/05/11	Done mailed 6/7/11	Questions concerning (1) who MEI sold dredged sand to, (2) detailed locations from which MEI dredged N & W of the MIMC property, (3) MEI's placement of clay, i.e., overburden, from its dredging operations.
*	RI/FS - RPM to evaluate recently received invalidated southern pit soil samples.		Gary/Stephen	5/27/2011		Done 6/01/11	
*	Status of site access from Big Star Boat & Barge to PRPs		Gary			Done	Gary made phone contact with Jay Roberts & Jay told Gary that future EPA contact with him should be via mail or email.
*	Community Engagement Initiative		Donn			Done	Team decision, this activity not required.
*	Status of site access from Big Star Boat & Barge to PRPs		Gary			Done	Gary made phone contact with Jay Roberts; Jay told Gary that all future EPA contact to him should be via mail or email.
*	Schedule site update briefing for Sam		Team		7/7/2011	Done	Meeting scheduled for 7/7/11
*	RI/FS - Complete evaluation of PRP's work plan to sample		Jessica & Gary/Stephen	06/24/11		Done	
*	RI/FS - Status of PRPs requirement to sample the residential yards		Barbara & Gary/Stephen	05/29/11		Done	5/29/11 - Demand letter mailed to PRPs
*	RI/FS - Evaluate PRP's response to EPA's demand to sample.		Barbara & Gary/Stephen	05/31/11		Done	5/31/11 - Received confirmation - PRPs have agreed to sample. Plan to have conference call with PRPs later this week.
*	RI/FS - Date to receive PRP's work plan to sample		Barbara & Gary/Stephen	06/20/11		Done	
*	TCRA - Current status - displacement of sludge from west pit caused by weight of construction equipment.		Val			Done	5/20/11 - PRPs stabilized soil by mixing Portland cement into low lying areas in western cell for solidification and stabilization of waste prior to placement of the geotextile / geomembrane fabric and armor cap.
*	RI/FS - Obtain and evaluate validated southern pit soil samples.		Gary/Stephen	6/17/2011		Done 6/01/11	
*	RI/FS - Site team will, during next week's pre-meeting, consider implication of MIMC's continued refusal to comply with order for southern pit soil sampling.		Barbara, Bob, Gary/Stephen	Team decision NLT 5/11/2011		Done	5/23/11 - Per Lydia, no action required by EPA against MIMC as long as IP (anyone party in the PRP group) complies.
*	Advised Wren by 5/4/11 of site team's decision to replace management's weekly meeting with a monthly meeting. Site team plans to continue its existing weekly site meetings on Mondays.		Site Team			Done	5/11/11 - Team's decision overruled by management. Management's weekly site meeting will continue until further notice.
*	RI/FS - Locations for sample testing at the southern impoundment (land area south side of I-10).		Stephen & Barbara	04/27/11		Done	Per Carlos, this matter has been resolved and the issue is closed.
*	Road Improvement over TXDOT Right- of-way.	High	Val	04/01/11	04/13/11	Done	
*	Review March 2011 Site update from Public Affairs/ Cindy Fanning					Done 4/06/11	OK as written
*	Pictures of the southern impoundment		Bob	03/30/11		Done	Following photos obtained 1/1960, 3/1961, 10/8/1964, 11/1966, 1/1970, 1/1973 (1965 aeriels possibly available from photo collections at Houston Library). Per Wren (3/30/11) at this time there is no need to continue search for 1965 photos.
*	Status of access to Southern impoundment (RI/FS matter).		Barbara			Done	PRP's have obtained needed access.
*	Supplemental 104(e) letter to International Paper Company		Werner	N/A	Per Wren, no further action on this matter	Done	Questions concerning (a) closure of sludge pits at the now closed Champion paper mill (CPM) in Pasadena and (b) releases of paper mill waste from the CPM facility into the San Jacinto River.
*	Consideration of the CPM as a separate Site or as an operation unit of the San Jacinto River Waste Pits site.		Werner	N/A	Per Wren, no further action on this matter	Done	
*	Status of soil sampling on residential properties inside and outside the Site's blue boundary (RI/FS matter).		Stephen & Barbara			Done	Matter resolved. Soil samples will be taken from a limited number of residences near but outside the blue line.
*	TCRA Work Takeover Letter.	High	Barbara/Val	01/26/11		Done	Not scheduled until Financial issues resolved.
*	Work Plan / Work Phases	High	Val	02/20/11		Done	
*	Mobilization.	High	Val	03/31/11		Done	
*	Bond Letter	High	Bob	04/16/11	01/18/11	Done	Bond rec'd 1/18/11.
*	Draft response letter to respondents Force Majeure Letter	High	Barbara/Val	01/21/11		Done	Signed EPA response letter to respondents Force Majeure Letter mailed 2/16/11
*	Potential lay-down areas	High	Val	01/21/11	02/04/11	Done	"LaBarge" property selected as the lay-down area.
*	Funds needed for EPA TCRA takeover.	High	Lydia			Done 1/19/11	HQ Leverage: none rec'd. ASARCO Reclaim: will swap Removal funds until reclassification completed. Financial Assur (bond) will begin process to access.
*	Begin removal work on MIMC property.	High	Val	04/07/11	Done		
*	Site Walk-through	High	Val	01/21/11		Done 1/21/11	To identify any AOC violations.
*	Legal Descriptions for properties adjacent to the MIMC property that are part of the original 190.8 acre Spata tract of land and descriptions of easements on the Big Star/TXDOT properties.	High	Bob	01/21/11		Done 1/19/11	Obtained copies of all applicable recorded deeds and copies of all applicable recorded easements and provided all to GIS.
*	Financial Assurance - Availability of funds from MIMC's "Payment Bond" #1055284 (TCRA)	High	Barbara	01/19/11		Done 1/19/11	Call Craig Kaufman on specifics of accessing funds. Accessing funds requires: 1) NOV ltr 2) Takeover ltr
*	Acquire TXDOT Deed and Easement Information for TXDOT and Big Star properties.	High	Bob	01/20/11		Done 1/19/11	Obtained copies of all applicable recorded deeds and copies of all applicable recorded easements and provided all to GIS.
*	GIS Site Illustration (TXDOT, Big Star, and MIMC boundaries overlaid on a Google Earth display of the I-10 Bridge area).	High	Bob	01/24/11	02/02/11	Done 1/26/11	Copies of applicable deeds and easements given to GIS on 1/20/11.

Team meeting participants:

- Present -

Team members

Barbara Nann
Jessica Hernandez
Valmichael Leos
Gary Miller
Stephen Tzhone
Donn Walters
Robert Werner
Phil Turner

Frequent meeting guests

Wren Stenger
Richard Wooster
Don Williams
Charles Faultry
Carlos Sanchez
Lydia Johnson
Larry Andrews
Carlos Sanchez
Lydia Johnson
Larry Andrews

Applicable Acronyms

DNAPL

Dense Non-Aqueous Phase Liquid

03/21/12

(1) A liquid which consists of a solution of organic compounds (e.g., chlorinated hydrocarbons) and which is denser than water. DNAPLs sink through the water column until they reach the bottom of the aquifer where they

form a separate layer. Unlike LNAPLs, DNAPLs flow down the slope of the aquifer bottom...
(2) Non-aqueous phase liquids such as chlorinated hydrocarbon solvents or petroleum fractions with a specific gravity greater than 1.0 that sink through the water column until they reach a confining layer. Because they are

at the bottom of aquifers (2) instead of floating on the water table, typical monitoring...

VOCs

Volatile organic compounds

(VOCs) are organic chemicals that have a high vapor pressure at ordinary, room-temperature conditions. Their high vapor pressure results from a low boiling point, which causes large numbers of molecules to evaporate or sublime from the liquid or solid form of the compound and enter the surrounding air. An example is formaldehyde, with a boiling point of -19 °C (-2 °F), slowly exiting paint and getting into the air.

Many VOCs are dangerous to human health or cause harm to the environment. VOCs are numerous, varied, and ubiquitous. They include both man-made and naturally occurring chemical compounds. VOCs play an important role in communication between plants. [1] Anthropogenic VOCs are regulated by law, especially indoors, where concentrations are the highest. VOCs are typically not acutely toxic, but instead have compounding long-term health effects. Because the concentrations

are usually low and the symptoms slow to develop, research into VOCs and their effects is difficult.

TAG
GBF
USACE
BERA
SFRF
CAC
PCS/HCTX
POHA
NOAA

Technical Assistance Grant
Galvestown Bay Foundation
United States Corp of Engineers
Baseline Ecological Risk Assessment
San Jacinto River Fleet , LLC
Community Awareness Committee
Polution Control, Harris County, TX
Port of Houston Authority
National Oceanic and Atmosphere Administration